

# **EXHIBIT 6**

## **B. Cape Deposition & Z. Smith Deposition**

Iron Bar Holdings v. Bradley H. Cape, et al.

Case No. 22-CV-00067-SWS

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1 UNITED STATES DISTRICT COURT

2 DISTRICT OF WYOMING

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4 IRON BAR HOLDINGS, LLC, a  
5 North Carolina limited  
6 liability company registered  
7 to do business in Wyoming,

8 Plaintiff,

9 vs.

Case No. 22-CV-00067-SWS

10 BRADLY H. CAPE, an individual,  
11 ZACHARY M. SMITH, an individual,  
12 PHILLIP G. YEOMANS, an individual,  
13 and JOHN W. SLOWENSKY, an individual,

14 Defendants.  
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17 VIDEOTAPED DEPOSITION OF BRADLY H. CAPE  
18 Taken by the Plaintiff

19 7:55 a.m., Thursday  
20 March 30, 2023

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22 PURSUANT TO NOTICE, the videotaped deposition of  
23 BRADLY H. CAPE was taken in accordance with the applicable  
24 Federal Rules of Civil Procedure at the Wyoming State Bar,  
25 4124 Laramie Street, Cheyenne, Wyoming, before Eric D.  
Nordberg, a Registered Professional Reporter and a Notary  
Public for the State of Wyoming.

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1 that?

2 A. No.

3 Q. Did any of your other hunters?

4 A. Not that I recall.

5 Q. Okay. You all used cell phones.

6 A. Yes.

7 Q. Okay. So basically, as I'm understanding it,  
8 what you did to both understand the land ownership pattern  
9 and then to determine where you were at on the ground was  
10 you looked at some -- the maps on the onX Hunt app, right?

11 A. Yes.

12 Q. And just to be clear, did you look at maps  
13 anywhere else online of the area?

14 A. The Game and Fish maps I would have used a lot  
15 of.

16 Q. Okay.

17 A. Before we were actually on the hunt, preparing  
18 for the hunt.

19 Q. Okay. All right. In 2022, did you apply for an  
20 elk license in the state of Wyoming?

21 A. No.

22 Q. Did you hunt elk anywhere else?

23 A. No.

24 Q. Have you applied for an elk license in Wyoming  
25 for the 2023 season?

1           A.       No.

2                       MR. WEISZ:   Okay.   Give me just a few  
3   minutes, please.

4                       THE VIDEOGRAPHER:   Off the record or --

5                       MR. WEISZ:   No, stay on the record.

6                       (Pause.)

7           Q.       (BY MR. WEISZ)   Okay, Mr. Cape, just a few more  
8   questions.   Have you crossed corners BLM to BLM when the  
9   adjacent lands were owned by a private person other than at  
10   the Elk Mountain area in Wyoming?

11          A.       Not that I recall.

12          Q.       Do you know who James Haaskamp is?

13          A.       Yes.

14          Q.       How do you know him?

15          A.       I've heard that name with this case.

16          Q.       Have you ever communicated with him yourself?

17          A.       No.

18          Q.       Have you been asked by any news organization or  
19   social media organization for an interview where you  
20   declined?

21          A.       I don't remember if I've declined or ignored.

22          Q.       So by that, can I take it that you have been  
23   asked by other news outlets or social media outlets to give  
24   an interview?

25          A.       Yes.

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UNITED STATES DISTRICT COURT

DISTRICT OF WYOMING

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IRON BAR HOLDINGS, LLC, a  
North Carolina limited  
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to do business in Wyoming,

Plaintiff,

vs.

Case No. 22-CV-00067-SWS

BRADLY H. CAPE, an individual,  
ZACHARY M. SMITH, an individual,  
PHILLIP G. YEOMANS, an individual,  
and JOHN W. SLOWENSKY, an individual,

Defendants.  
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VIDEOTAPED DEPOSITION OF ZACHARY M. SMITH  
Taken by the Plaintiff

1:01 p.m., Thursday  
March 30, 2023

PURSUANT TO NOTICE, the videotaped deposition of  
ZACHARY M. SMITH was taken in accordance with the  
applicable Federal Rules of Civil Procedure at the Wyoming  
State Bar, 4124 Laramie Street, Cheyenne, Wyoming, before  
Eric D. Nordberg, a Registered Professional Reporter and a  
Notary Public for the State of Wyoming.

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1 Q. What species did you hunt?

2 A. That would have been antelope.

3 Q. Okay. Did you successfully harvest an antelope?

4 A. Yes.

5 Q. Okay. Did you shoot that on public ground?

6 A. Yes.

7 Q. In that hunting trip, did you have to carry out  
8 any corner crossing to hunt?

9 A. I'm not for certain. I do not think so.

10 Q. Okay. All right. What was the last year you  
11 hunted in Wyoming?

12 A. 2021.

13 Q. Did you apply for an elk tag in 2022?

14 A. No.

15 Q. Have you applied for an elk tag for this year?

16 A. No, sir.

17 Q. All right. Take a look at Exhibit -- I think  
18 it's Exhibit 2. Yes, it is Exhibit 2. It's this document  
19 here. The first page of Exhibit 2 shows the tags that are  
20 available in various hunt areas for elk. You agree with  
21 that?

22 A. Yes.

23 Q. And for Area 125, do you agree that the land  
24 shown on Exhibit 1 is located in Area 125?

25 A. Yes.